

Congress of the United States
Washington, DC 20515

December 4, 2020

Heriberto Tellez
Warden
Metropolitan Detention Center
80 29th Street
Brooklyn, NY 11232

Dear Warden Tellez:

We write to introduce ourselves as the Members of Congress representing the area of the Metropolitan Detention Center (MDC) in Brooklyn and to express our concerns over the exponential increase in COVID-19 cases at the facility, which were recently reported by local media.¹ We are also concerned over the lack of communication from your office and would like to know what specific steps you are taking to address the outbreak at the facility. As the pandemic continues to spread across the United States, it is imperative to continue to have open lines of communication and to share information that can help protect the health and safety of detainees and staff and address community concerns. The recent retirement of Warden Edge and the relocation of his Executive Assistant who had been our principal source for updates and information was not shared with our staff nor did we receive notification of your assignment to MDC Brooklyn. We want to correct that.

In cases of urgency, there must be a designated staff member to communicate with our offices. This was not the case earlier this summer when a federal detainee escaped during transport to MDC, nor when a detainee, Jamel Floyd, died following an altercation with guards in June, nor when there was a Chicken Pox outbreak at the facility in August, and it is not the case today with a burgeoning number of COVID-19 cases at the facility. We were only made aware of this exponential increase in cases over the last few days by the Federal Defenders office, which learned through court filings of 55 additional positive tests at the MDC since Tuesday, and of additional units placed on quarantine status.

As the local federally elected officials, our offices are often the first to receive grievances and complaints concerning the safety and wellbeing of detainees and staff at the Federal facility, and we have a responsibility to the community we represent. We have received reports that large numbers of detainees in unit 73 of MDC were told yesterday that they tested positive. It is our understanding that the number of infected detainees was too large for the facility to isolate cases, and that a number of infected cases are simply being put together in cells on the same unit with others who tested negative. Our offices have also heard that the outbreak started a little over a week ago and by last weekend many were quite sick. Last night we received a disturbing update: some severely ill detainees were not receiving medical attention. The symptoms described to us include coughing up blood and difficulty breathing. It is also our understanding that a number of units at the facility have seen brown water in sinks and toilets, with no potable water being provided. In addition, we have received reports of moldy food, food tray waste piling up, emergency buttons in the cells not working, and staff not consistently wearing masks as they

¹ Anna Quinn. Major Coronavirus Outbreak Revealed At Brooklyn Jail: Report. Patch New York. December 3, 2020. <https://patch.com/new-york/parkslope/major-coronavirus-outbreak-revealed-brooklyn-jail-report>

work with inmates, and then going to and from the community each day. We have no information from your office about these alleged conditions. This is simply not acceptable.

Given the egregious nature of the alleged conditions at the facility, we are requesting an update on the following:

- The total number of staff and detainee COVID-19 cases, the rate of increase and what plan is in place to stop the spread;
- The current number of detainee and staff hospitalizations/deaths;
- The contingency plans for dealing with the current scale of cases;
- The contact tracing plan both within the facility to identify other infected inmates and of staff who have been in contact with infected inmates;
- The testing and quarantining plan for those officers who have worked with infected inmates and are now in the community;
- How the facility is implementing strategies for reducing density and the dangers for those immunocompromised such as expanding home confinement and early release;
- The protocol currently used by MDC Brooklyn to transfer detainees to emergency room care or other hospital facilities, and how this has been updated/modified given COVID-19;
- How families or points of contact are notified when a detainee has a serious health problem or dies;
- When and how long lockdown periods are and what triggers them;
- How problems with heat, water quality, electricity, and PPE supplies have been addressed;
- Expected timeframe to restart Community Relations Board meetings virtually;
- Staff housing and biosecurity measures to prevent contagion; and
- A designated direct point of contact for our offices.

Our offices remain willing to engage. Please contact Dan Wiley or Melissa del Valle Ortiz at Rep. Velazquez District Office (718) 599-3658 and Rob Gotthiem at Rep. Nadler (212) 367-7350 to follow up. We look forward to hearing back and discussing these concerns.

Sincerely,



Nydia M. Velázquez
Member of Congress



Jerrold Nadler
Member of Congress

Cc: Dr. Robert R. Redfield, Director Centers for Disease Control and Prevention
Dr. Howard A. Zucker, Commissioner NYS Department of Health
Dr. Dave A. Chokshi, Commissioner NYC Department of Health and Mental Hygiene
Dr. Theodore G. Long, Executive Director NYC COVID-19 Test and Trace Corps at
New York City Health + Hospitals